

**ENTERED**

**JUN 14 1994**

**ORDER 800**

**NO. 123 PAGE 75**

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
AT BECKLEY

DAVID LEE WILSON,

Plaintiff,

v.

CIVIL ACTION NO. 5:93-0478

FAYETTE COUNTY SHERIFF'S  
DEPARTMENT, and  
BILL WEBB, Chief Jail  
Administrator,

Defendants.

**JUDGMENT ORDER**

By Order entered on July 1, 1993, this action was referred to United States Magistrate Judge Mary S. Feinberg for submission of recommendations regarding disposition pursuant to 28 U.S.C. § 636(b)(1)(B). Magistrate Judge Feinberg submitted to the court her Findings and Recommendation on May 26, 1994, in which she recommended that the defendants' motion for summary judgment be granted. In accordance with the provisions of 28 U.S.C. § 636(b), the parties were allotted thirteen days in which to file any objections to Magistrate Judge Feinberg's Findings and Recommendations. The failure of any party to file such objections constitutes a waiver of such party's right to a de novo review by this court. Snyder v. Ridenour, 889 F.2d 1363 (4th Cir. 1989).

Neither party filed any objections to the Magistrate Judge's Findings and Recommendation within the thirteen-day period. Accordingly, having reviewed the Findings and Recommendation filed by Magistrate Judge Feinberg, the court adopts the findings and recommendations contained therein and

GRANTS the defendants' motion for summary judgment. Accordingly, the court hereby ORDERS that this action be removed from the docket of this court.

The Clerk is directed to forward a certified copy of this Order to petitioner, pro se, and counsel of record.

IT IS SO ORDERED this 13<sup>th</sup> day of June, 1994.

ENTER:



David A. Faber  
United States District Judge